

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

SUNWAVE GAS & POWER INC.,

Debtor In a Foreign Proceeding.

Chapter 15

Case No. 22-10491-jlg

**ORDER (I) SCHEDULING RECOGNITION HEARING, (II) SPECIFYING DEADLINE  
FOR FILING OBJECTIONS, AND (III) SPECIFYING THE FORM AND MANNER OF  
SERVICE OF NOTICE**

Upon consideration of the *Foreign Debtor's Application for Entry of an Order (I) Scheduling Recognition Hearing, (II) Specifying Deadline for Filing Objections, (III) Specifying Form and Manner of Service, and (IV) Granting Related Relief* (the "Application") (D.I. 9) of A. Farber & Partners Inc., as the duly authorized foreign representative (the "Petitioner") for the above-captioned debtor (the "Foreign Debtor"); the Court having jurisdiction to consider the Application and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, and 11 U.S.C. §§ 109 and 1501; and that this Court may enter a final order consistent with Article III of the United States Constitution; venue being proper before the Court pursuant to 28 U.S.C. § 1410(1) and (3); adequate and sufficient notice of the filing of the Application having been given by the Petitioner; it appearing that the relief requested in the Application is necessary and beneficial to the Foreign Debtor; and no objections or other responses having been filed ~~that have not been overruled, withdrawn, or otherwise resolved~~ [JLG]; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Application is **GRANTED** as set forth herein.
2. A hearing on the Verified Petition (the "Recognition Hearing") to consider entry of a final order recognizing the Petition pursuant to section 1517 (the "Recognition Order") is

scheduled for **August 16, 2022 at 10:00 a.m. (prevailing Eastern Time) [JLG]** before the Honorable James L. Garrity, Jr. at the United States Bankruptcy Court for the Southern District of New York, **7th Floor, Courtroom No. 723, New York, New York 10004 (“Chambers”)**, to be held via CourtSolutions at [www.court-solutions.com](http://www.court-solutions.com) (login and password required) [JLG].

3. Objections to the Verified Petition or the Court’s entry of the Recognition Order shall be (i) made in writing, describe the basis therefore, and indicate the nature and extent of the respondent’s interests in the Foreign Debtor’s Chapter 15 Case, (ii) filed with the Office of the Clerk of the Court, New York, New York 10004 **in accordance with General Order M-399 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) (login and password required))**, with two **single-sided copies sent to Chambers [JLG]**, and (iii) served upon Troutman Pepper Hamilton Sanders LLP, 875 Third Avenue, New York, NY 10022 (Attn: Joseph DeFazio and Matthew Brooks), on or before **August 9, 2022 at 4:00 p.m. (ET)**, seven (7) days before the Recognition Hearing [JLG]. **Replies to objections, if any, shall be (i) filed with the Office of the Clerk of the Court, New York, New York 10004 in accordance with General Order M-399 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) (login and password required))**, with two single-sided copies sent to Chambers, and (ii) served upon Troutman Pepper Hamilton Sanders LLP, 875 Third Avenue, New York, NY 10022 (Attn: Joseph DeFazio and Matthew Brooks), on or before **August 12, 2022 at 4:00 p.m. (ET) [JLG]**.

4. The Recognition Notice, substantially in the form attached ~~hereto the Application~~ as **Exhibit A**, is hereby approved.

5. Prior to mailing the Recognition Notice, the Petitioner may fill in any missing dates and other information, correct any typographical errors, confirm the provisions thereof to the

provisions of this Order, and make such other and further non-material, non-substantive changes as the Petitioner deems necessary or appropriate.

6. The Petitioner shall serve, or cause to be served, on the Notice Parties: (i) the Recognition Notice, **(ii) the Petition** and **(iii) the** Verified Petition by United States or Canadian mail, first class postage prepaid, ~~by close of business on \_\_\_\_\_, 2022~~ **on or before July 25, 2022.**

7. The Petitioner shall serve, or cause to be served, on the Master Service List, including any party requesting to be added thereto, all pleadings filed by the Petitioner in the Chapter 15 Case by United States or Canadian mail, first class postage prepaid and no further or additional notice will be required. Service of all pleadings filed in this Chapter 15 Case on the Master Service List is hereby approved as due and sufficient notice of such pleadings on all interested parties in this Chapter 15 Case.

8. To the extent not previously served, in the event any other interested party files a notice of appearance in the Chapter 15 Case before the Recognition Hearing, the Petitioner shall serve, or cause to be served, on such party the Recognition Notice and Petition within three (3) business days of the filing of such notice of appearance by United States or Canadian mail, first class postage prepaid.

9. Service of the Recognition Notice and the proposed Recognition Order in accordance with this Order is hereby approved as due and sufficient notice of the filing of the Petition, the Recognition Hearing, and the Recognition Objection Deadline.

10. ~~All notice requirements specified in section 1514 of the Bankruptcy Code are hereby waived or otherwise deemed inapplicable to the Chapter 15 Case [JLG].~~

11. This Court shall retain jurisdiction with respect to any and all matters arising from or related to the interpretation or implementation of this Order.

12. Any objections to recognition shall be submitted in writing to the court clerk with two single sided courtesy copies submitted to chambers

Dated: July 8, 2022  
New York, New York

/s/ James L. Garrity, Jr.  
Honorable James L. Garrity, Jr.  
United States Bankruptcy Judge